

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

MICHAEL MOTYLINSKI,

Plaintiff,

v.

RYAN C. MEADE and QUINTAIROS,
PRIETO, WOOD & BOYER, P.A.,

Defendants.

CIVIL NO. 3:22-CV-00028

JURY TRIAL DEMANDED

**NOTICE TO THE COURT OF INABILITY TO GO TO TRIAL AND REQUEST TO
RULE ON MOTION TO REMAND AND MOTION TO TRANSFER**

COME NOW the Parties, by and through their undersigned counsel, and give notice to the Court of the parties' inability to go to trial on February 20, 2024, in this matter.

Currently pending before this Court is a Motion to Transfer, or in the Alternative to Dismiss, filed on April 20, 2022. [ECF 4] Plaintiff filed a Motion to Remand on May 17, 2022. [ECF 7] The Parties conducted jurisdictional discovery. On September 14, 2022, Plaintiff supplemented his Motion to Remand with the facts supporting his argument that the case should be remanded to the Virgin Islands Superior Court as the Court lacks diversity jurisdiction. [DE 46] On November 15, 2022, the Court entered a Memorandum Opinion and Order staying discovery in this case "pending resolution of the transfer motion." [ECF 64]

While, on October 18, 2023, the Court issued an order denying in part Plaintiff's Motion to Remand and allowing Plaintiff to conduct jurisdictional discovery and supplement his motion, Defendant Meade filed a Motion to Reconsider informing the Court that the jurisdictional discovery had already been conducted and supplemental

Motylnski, Michael v. Ryan C. Meade, et. Al., Civil No. 3:22-CV-00028

NOTICE TO THE COURT OF INABILITY TO GO TO TRIAL AND REQUEST TO RULE ON MOTION TO REMAND AND MOTION TO TRANSFER

Page 2

briefs filed. In response, on October 18, 2023, this Court vacated the order. [ECF 68]

As such, this case has remained stayed, with no discovery on the merits having been done, awaiting the Court's ruling on the Motion to Remand and Motion to Transfer.

RESPECTFULLY SUBMITTED
LEE J. ROHN AND ASSOCIATES, LLC
Attorneys for Plaintiff

DATED: January 25, 2024

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DATED: January 25, 2024

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Motylnski, Michael v. Ryan C. Meade, et. Al., Civil No. 3:22-CV-00028

**NOTICE TO THE COURT OF INABILITY TO GO TO TRIAL AND REQUEST TO RULE ON MOTION TO
REMAND AND MOTION TO TRANSFER**

Page 3

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that on January 25, 2024, I electronically filed the foregoing with the Clerk of the Court using the electronic filing system, which will send a notification of such filing to the following:

All counsel of record

BY: /s/ Lee J. Rohm (kjpg)